

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CORY BRADLEY,)
)
Plaintiff,)
)
v.)
)
MISSOURI DEPT. OF CORR., et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. On or about November 5, 2015, plaintiff filed a complaint; however, he has not paid the filing fee nor has he filed a motion for leave to proceed in forma pauperis.

Plaintiff is an inmate at the Eastern Reception, Diagnostic and Correctional Center (“ERDCC”). It appears that plaintiff has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.¹ As such, under 28 U.S.C. § 1915(g), plaintiff is not entitled to proceed in forma pauperis unless he was “under imminent danger of serious physical injury” at the time the complaint was filed. *See Martin v. Shelton*, 319 F.3d 1048, 1050 (8th Cir. 2003) (imminent danger of serious physical injury must exist at the time the complaint is filed).

¹See *Bradley v. City of St. Louis Carnahan Ct. Bldg.*, No. 4:14-CV-2112-JAR (E.D. Mo.); *Bradley v. Keefe Co.*, No. 4:14-CV-2087-JAR (E.D. Mo.); *Bradley v. U.S. Dep’t of Justice*, No. 4:14-CV-797-JCH (E.D. Mo.).

After reviewing the complaint, the Court finds no allegations indicating that plaintiff was in imminent danger of serious physical injury when he filed his complaint. Plaintiff's allegations concern defendants' authority to confine him pursuant to his convictions and sentences in the Circuit Court of the City of St. Louis. Plaintiff also makes several other allegations concerning his confinement at ERDCC, including that he is being denied access to the courts and that defendant Steele is operating an "unfair and unsanitary prison." As a result, the Court will dismiss this action without prejudice to refiling as a fully paid complaint.

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(g).

IT IS FURTHER ORDERED that all remaining pending motions are **DENIED as moot**.

A separate Order of Dismissal shall accompany this Memorandum and Order.

Dated this 2nd day of December, 2015.

\s\ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE